



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

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August 8, 2002

Ms. Peggy Arend
Granite State Home Improvement
614 Laconia Road
Tilton, NH 03276

**CERTIFIED MAIL (7099 3400 0003 0687 2165)
RETURN RECEIPT REQUESTED
NOTICE OF PAST VIOLATION**

Re: Improper Asbestos Removal at 29 Pearl Street, Laconia, NH

Dear Ms. Arend:

On May 29, 2002 the New Hampshire Department of Environmental Services, Air Resources Division ("DES"), received a complaint that asbestos siding was being removed from a dwelling located at 29 Pearl Street, Laconia, NH ("the Property"). The complainant stated that a company named "Granite State" was reportedly removing the siding. DES personnel telephoned Granite State Home Improvement ("GSHI") and spoke with Ms. Peggy Arend. Ms. Arend confirmed that GSHI had a work crew at the Property. The DES inspector advised Ms. Arend to halt the siding removal.

On May 30, 2002 a DES inspector went to the Property to determine if asbestos containing material ("ACM") had been disturbed during the renovation project, and to determine conformance with provisions of RSA 141-E and the NH Admin. Rules Env-A 1800, Asbestos Management and Control, regulating asbestos abatement activities. As a result of the inspection and of the information gathered, DES has determined that violations occurred.

During the inspection at the Property, the DES inspector found that GSHI workers had removed asbestos siding from the sides of the building and from a portion of the front of the building. Most of the ACM had been wrapped in plastic and placed in a dumpster. In addition, the DES inspector determined that a written notification was not filed regarding the removal of the ACM and that safe work practices were not followed. DES wants to make it clear that there are requirements for proper asbestos abatement. The DES inspector provided GSHI with a list of licensed asbestos removal contractors.

The purpose of this letter is to notify you of the violations discovered during the May 30, 2002 inspection. The specific violations are as follows:

- Env-A 1803.01 requires a facility operator to provide written notification to DES, the EPA Regional office, and the city/town health officer at least 10 working days prior to any major asbestos abatement activity. DES did not receive written notification regarding the removal of the ACM from the 29 Pearl Street location.

- Env-A 1805 contains specific provisions pertaining to proper handling, removal and disposal of ACM. In particular, Env-A 1805.02 requires personnel involved in any major asbestos abatement projects to be licensed and certified. In addition, Env-A 1805 requires that the operator of a facility at which major asbestos abatement activity will occur, take steps to prevent exposure to asbestos fibers during removal, including isolating the work area and using wet removal methods. GSHI is not a licensed abatement contractor.

On June 4, 2002, ASTEC, a licensed asbestos abatement firm, started clean up work and removed the remaining asbestos containing material in conformance with the rules. Accordingly, no further action related to the listed violations is required. However, please be advised that if the presence of ACM is suspected, an inspection for ACM should be conducted prior to initiating any future renovation or demolition activities. DES believes that you can avoid the improper disturbance of ACM and the health hazards and liability that are associated with exposure to asbestos by complying with Env-A 1800, Asbestos Management and Control.

If you believe that DES has cited these violations in error or have any questions or additional information regarding this matter, please contact Mr. Steve Cullinane, Asbestos Program Manager, Compliance Bureau, Air Resources Division, at (603) 271-1373 or Joseph Ritz, Enforcement Specialist, Compliance Bureau, Air Resources Division, at (603) 271-1391.

Sincerely,



Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

Enclosure: List of asbestos abatement contractors
Env-A 1800

cc: R. Scott, NHDES-ARD
G. Rule, DES Legal Unit
W. Toland, EPA
J. Hannington-Perkins, NH H&HSD
J. Ashley, Laconia Building Inspector